

REMARKS

In the Office Action mailed February 3, 2003, the Examiner objected to the specification because of informalities. In particular, the bullet list has been amended to conventional paragraph form, less the bullets. The Abstract has been amended to omit the term "Discloses" which the Examiner opines speaks to purported merits of the invention.

Claims 37-52 were rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter (a computer program). The Claims have been amended to recite "A computer readable medium comprising a computer program code..." in each instance. Accordingly, the rejection under 35 U.S.C. §101 should be removed.

Claims 1, 4-7, 9-10, 13-14, 16, 19, 22-25, 27-28, 31-32, 34, 37, 40-43, 45-48 and 50 were rejected under 35 U.S.C. §102(b) as being anticipated by Hargrove, Jr. et al. ("Hargrove") U.S. Patent No. 5,897,619. In order for Hargrove to anticipate the above-listed claims, each and every limitation of the claims must be found in Hargrove. Based on the remarks below, Applicant herein amends Claims 1 and 19. Applicant believes that pending Claims 1 and 19 are in condition for allowance. A Notice of Allowability is therefore solicited.

Hargrove discloses a farm management system including a number of databases (Column 3, lines 22-24). Each database includes a screen for the input of data; for example, names of insurance policy holders, maps, regulations, crop, practice, type and field information (Col. 3, lines 24-26). A separate screen permits a user to draw fields and field boundaries (Col. 3, lines 29-31). The system uses this data to produce information related to each field. (Col. 3, lines 34-40).

In contrast, the present Claims 1 and 10 both specify that a mathematical model of the farm is generated from the input information and the third party information and that a *farm management plan* (emphasis added) is generated from the model.

Hargrove does not teach or suggest a farm management plan. The Examiner opines that at Column 7, lines 5-6, Hargrove teaches such a plan. However, the system described in Hargrove is merely verifying that a crop 202, which the user has provided to the system is being planted in the proper pattern 242. In other words, the system knows that crop 202 (for example, corn) should be planted in pattern 242 (for, example in rows) and verifies that code

202 should be planted in pattern 242. The system of Hargrove merely calculates or permits the setting of insurance rates on a field-by-field basis based on input information regarding the field type, size, crop type, planting pattern, rainfall amount and other data. The system of Hargrove cannot, for example, calculate a farm management plan based on economic variables (i.e., input information and third party information). The present invention can predict which crop, for example, would yield the most profit based on the input and third party information. Since Hargrove lacks at least this feature, Hargrove cannot anticipate Claims 1 and 19 or the claims which depend therefrom.

Claims 2-3, 11-12, 20-21, 29-30 and 38-39 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hargrove in view of Wilcox. Hargrove is distinguished above. Wilcox does not supply the deficiencies of Hargrove. Wilcox is merely accounting software, and thus, is only useful in analyzing financial data. The software has no prediction function, i.e. no “planning” function as in the presently claimed invention. Wilson’s use of graphs, etc. is not the same as, or equivalent to, a graphical representation of a management plan. Since Hargrove and Wilcox do not teach or suggest all of the limitations of the present claims, the present claims cannot be rendered obvious. Accordingly, Claims 2-3, 11-12, 20-21, 29-30 and 38-39 should be allowed.

Claims 8, 15, 26, 33, 44 and 49 were rejected under 35 U.S.C. 103(a) over Hargrove in view of U.S. Patent No. 6,058,351 to McCaulay (“McCauley”). McCauley does not supply the deficiencies of Hargrove. The result of McCauley is a map of a farm field with areas classified into a plurality of management zones. The map of McCauley is not the same as, or equivalent to, generating the management plan of the present claims. Since Hargrove and McCauley do not teach or suggest all of the limitations of the present claims, the present claims cannot be rendered obvious. Accordingly, Claims 8, 15, 26, 33, 44 and 49 should be allowed.

Claims 17-18, 35-36 and 51-52 were rejected under 35 U.S.C. 103(a) over Hargrove in view of Batte (“Batte”). Hargrove is distinguished above. Batte does not supply the deficiencies of Hargrove. Batte is directed to site specific management (SSM) practices. The success of SSM is centered on the ability to accurately and repeatedly locate a position in a field. As such, Batte does not contemplate generating a farm management plan. Since Hargrove and Batte do not teach or suggest all of the limitations of the present claims, the

present claims cannot be rendered obvious. Accordingly, Claims 17-18, 35-36 and 51-52 should be allowed.

Claims 1-52 have been distinguished from all of the cited references taken alone or in combination. Accordingly, a Notice of Allowance is respectfully solicited.

If, for any reason, the Examiner is unable to allow the Application and feels that a telephone conference would be helpful to resolve any remaining issues, the Examiner is respectfully requested to contact the undersigned at (312) 673-0360.

Respectfully submitted,



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